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596 No comparable institutions existed to inculcate in youth a moral and ethical code that would serve as a common guide in the new society. Attempts by the Kuomintang leaders during the period of the National Government to restore filial piety along with a revised Confucian code to the service of an increasingly authoritarian-minded state met with failure among the nation's youth.⁸

IV. THE FAMILY UNDER COMMUNISM

A. The Marriage Law

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582 In reconstructing Chinese society, the Communist regime has undertaken to change the nature and function of the family. The first step in this direction was the new Marriage Law promulgated in May 1950. It is one of the three legal pillars of the state. The other two -- the Labor Union Law and the Land Reform Law -- were announced at a later date but put into effect within a much shorter time and with greater immediate success.⁹

Essentially, the outward provisions of the Marriage Law are comparable to the laws affecting marriage and the family in the civil and penal code announced by the National Government in 1930 and 1931.¹⁰ The basic features of the new law are summed up in its first three articles, which provide for:

- (1)...The abolition of arbitrary and compulsory marriage and the putting into effect of freedom of marriage for men and women.
- (2)...The abolition of the feudal system

8. Mary C. Wright, "From Revolution to Restoration: The Transformation of Kuomintang Ideology." Far Eastern Quarterly, Aug. 1955, pp. 515-32.

[9. and 10. next page]

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of marriage...based on the superiority of man over woman, and the putting into effect...of monogamy, and equal rights for both sexes.

(3)...The abolition of the feudal system of marriage which neglects the interests of the children, and the putting into effect of the New Democratic system of marriage, which protects the lawful interests of women and children.¹¹

In propagandizing and implementing the Marriage Law, the regime struck hard against the old authoritarianism of the family head, child marriage, mistreatment of women and discrimination against them as inferior to men, and the mistreatment of children by parents. Wives, especially wives of arranged marriages, were encouraged to seek divorce from intolerant, unrepentent husbands. However, if husbands could be made to adopt the new attitude toward women, partners of arranged marriages were urged to remain united.

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To help traditionally-minded families

9. See comment by the American editors of Current Background, Hong Kong, American Consulate, 236, pp. 1-3; hereafter cited as C.B.: Unless editorial comment is indicated, as here, citations from Current Background refer to literal translations of material in Communist magazines and newspapers, and should be evaluated accordingly.

10. See comment of American editors of C.B., 136, p. 3.

11. "Document 7," C.B., 236, pp. 22-29.

596 for the thorough implementation of the Marriage
671 Law and intensive indoctrination of the people
in its principles. The movement was restricted
to Han Chinese areas where land reform had
been completed.¹⁹

Summing up the result of the campaign
before the Government Administrative Council
on November 11, 1953, Liu Ching-fan reported
satisfactory indoctrination of 80 to 90 per cent of
the adults in 15 per cent of the nation's hsien
and municipalities where land reform had been
completed and, to a somewhat lesser degree,
60 to 70 per cent of the people in 60 per cent
of similar local areas. Almost no progress
was indicated in the remaining 25 per cent of
the localities.²⁰ Assuming the population in
these areas to be roughly equal, these figures
would mean that on an over-all basis even partial
success was claimed for only 48 to 55.5 per
cent of the population subjected to the indoctrina-
tion process.

596C. The Communists' Vague Picture of Success

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Unfortunately, we cannot precisely judge
how successful the regime has been in imple-
menting the Marriage Law nationally or region-
ally. Communist evaluations are too generalized
to reveal a definite picture, and statistics re-
leased by the regime are sketchy and, when
available, rarely provide a basis for significant
comparison. Reports on the results of the 1952

19. C.B., 273, p. 1.

20. Ibid., p. 3.

596 investigations of Marriage Law implementation
671 were evidently intended to illustrate the extremes
•582 of backwardness and progress in family practices rather than to give a comprehensive picture of them. A spate of press accounts in January 1952 referred to conditions from good to bad found in political units of varying size throughout the country, but none of the accounts contained references to the Southwest Region. Evidently, the regime encountered more difficulties here than elsewhere. Last of the regions to fall to the Communists and to complete land reform, the Southwest was still reporting difficulties in expanding the Party organization in the region and complaining of the lack of education and soundness in existing cadres as late as January 1954.²¹

The Communist press announced in October 1951 that all areas in the Southwest Region had begun a check-up on Marriage Law implementation, but noted that one of the duties of the work teams involved in the task was to educate local cadres. The report also referred to a meeting of government organs in Sikang to correct the "erroneous ideas" of some cadres that to publish the Marriage Law "would cause confusion" in the central work of the Party.²²

Some light was shed on the situation in the Southwest Region by a Communist article written in the fall of 1953. Referring to "the

21. SCMP, 858, Supplement, vii-xii; 970, pp. 29-32.

22. Ibid., 198.

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596 stubborn remnants of the old marriage system...
671 still damaging the prosperity, security, and
582 happiness of the people of New China," the article
cited the example of the subdistrict of Chen-yu
in Szechwan. According to the article, there had
been no strong "progressive" influence in the
area before "liberation," and the Marriage Law
team found family relations little changed from
the traditional pattern. To propagandaize and
implement the new Marriage Law in the sub-
district, the team undertook the training of new
cadres made up of village administrators, lead-
ers of peasant women's associations, and members
of the Communist Party and New Democratic
Youth Corps. It soon turned out that "at least
half [the new cadres] were themselves influ-
enced by feudal ideas." Further troubles were
encountered when an attempt at a panel discussion
to illustrate the need for reform by soliciting
personal experiences ended in failure. In carry-
ing the movement to the people, the method of
assembling individual families and encouraging
wives to reveal abusive treatment by husbands
and mothers-in-law had to be called off because 23
the sessions only succeeded in developing quarrels.
This revelation of the resistance to family re-
orientation in the Southwest Region has no para-
llel insofar as is known, although similar problems
were undoubtedly encountered outside the South-
west Region.

The latest report on the reorganization of
family life in China was given in March 1955 by
the Marriage Law Implementing Committee.

23. Fang Yen, "Making the Marriage Law
Work," China Reconstructs, Peking, Sept.-Oct.
1953, pp. 32-33.

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596 Couched in general terms, the announcement
677 gave no clear indication of the true situation in
582 the country or any one of its regions. For ex-
● ample, the committee reported on the prevalence
of free marriages during the first quarter of
1954, stating that of the 402,025 applications for
marriage registration in 562 hsien and municipi-
palities of 15 provinces only 1.07 per cent were
denied because the contemplated marriages had
been arranged without the consent of the couples
concerned.²⁴ No figures were released on the
remaining, roughly three-quarters of the country's
hsien and municipalities, nor was any indication
given to show whether the figures cited were
typical of the whole country, the only figures
available, or figures selected for propaganda
or other purposes. If the figures can be given
credence, they indicate a remarkable advance over
the situation existing two years earlier. After
an investigation of Marriage Law implementa-
tion in 1952, a woman minister of justice,
Shih Liang, reported that in only three of the
country's 2,086 counties were families reformed
"up to perfect Communist standards," and that
in the East and Central-South regions freely
contracted marriages and other reforms had
gained no acceptance with the people.²⁵

The Marriage Law Implementing Com-
mittee's report in March 1955 also included a
summary of conditions "in certain advanced
areas in Shansi and elsewhere." It is unlikely
that any of the "advanced areas elsewhere" were

24. SCMP, 1002, p..3.

25. China News Analysis, Hong Kong,
No. 5, p. 2. - 159 -

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582 in the Southwest Region. Far more likely, the region would have been mentioned in reports on the areas "least progressive" in family reform, had the Communists cared to publicize such conditions in 1955. But the report on the "advanced areas" gives some indication of the best the Communists have been able to do in places where they have been long established. According to the committee, family relationships were improved or improving in 90 to 95 per cent of the homes and "bad" in only 5 to 10 per cent. Of the larger group, 10 to 15 per cent were described as the "advanced modern type...with a definite degree of socialist consciousness, where democracy and harmony obtain and members are united for production." The committee announcement added that in 80 per cent of these homes women were no longer oppressed, beaten, or scolded, but "remnants of the patriarchal system and the conception of the rights of the husband" still existed to varying degrees.²⁶

C. Reorientation of Family Reform

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183 No rapid change in traditional family attitudes and practices in the Southwest Region is likely to have occurred to date. The all-out effort to revolutionize the Chinese family in the spring of 1953 has not been repeated. Soon after the 1953 campaign, decreasing emphasis was given by the regime to quick implementation of the new Marriage Law. Family reform was made a continuing part of the everyday work of the various

26. SCMP, 1002, p. 3.

596 As a result, "most marriages are still being
185 contracted after both parties were first intro-
369 duced to each other by third parties." The report
hastened to explain that as the bride and groom
gave their previous agreement to the marriage it
was to be regarded as a marriage of free will and
not to be confused with the old and outlawed prac-
tice of arranged marriage.³³

E. Replacement of the Family's Social, Economic
and Political Role

596 A second step taken by the Communist
575 regime to change radically the nature and function
467 of the Chinese family was accomplished with the
establishment of organizations to regiment every
phase of human endeavor. The labor unions in
the city, the peasant associations, mutual-aid
teams, and co-operatives in the country became
the center not only of economic life, but of social,
political, and indoctrination activities as well.
Unions were organized in the cities almost as
they fell to the Communist armies, but the forma-
tion of comparable institutions in the countryside
awaited the gradual process of land reform. Un-
til it was completed in any area, no alternate
organization to the family existed to assume its
• [582] socio-economic role. This fact seem to explain
why the Communists during the spring of 1953
limited their Marriage Law campaign in the country-
side to those areas where land reform had been
accomplished.

596 Special organizations were set up to train
575 and absorb the energies of women and children
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33. Ibid., 1002, p. 3.